


Approved  Mayor
Veto _____
Override _____

Special Item No. 1
6-30-09

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA**

RESOLUTION NO. R-905-09

RESOLUTION RELATED TO NEW FLORIDA
MARLINS BALLPARK, RELATED PUBLIC
INFRASTRUCTURE AND CITY PARKING
FACILITIES; APPROVING TERMS OF SECOND
AMENDMENT TO THE CONSTRUCTION
ADMINISTRATION AGREEMENT BY AND AMONG
MIAMI-DADE COUNTY, CITY OF MIAMI AND
MARLINS STADIUM DEVELOPER, LLC; AND
AUTHORIZING COUNTY MAYOR OR COUNTY
MAYOR'S DESIGNEE TO EXECUTE SUCH
AMENDMENT

WHEREAS, the County, the City of Miami (the "City"), and the Marlins Stadium Developer, LLC (the "Stadium Developer") have entered into a Construction Administration Agreement dated April 15, 2009 for the development and construction of the Marlins Ballpark, related Public Infrastructure and City Parking Facilities; and

WHEREAS, this Board previously adopted Resolution No. R-780-09 which, among other things, approved the terms of and authorized the execution of the First Amendment to such Construction Administration Agreement and directed the County Mayor or the County Mayor's designee to terminate the Construction Administration Agreement, as amended (the "Construction Administration Agreement"), if certain conditions were not satisfied; and

WHEREAS, this Board desires to amend the Construction Administration Agreement to reduce the County's funding commitment from \$347,500,000 to

\$341,300,000 and to reduce the initial Stadium Project Budget from \$515,000,000 to \$508,800,000,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

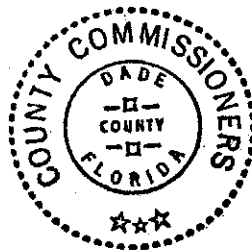
Section 2. This Board hereby approves the terms of and authorizes the County Mayor or the County Mayor's designee to execute a Second Amendment to the Construction Administration Agreement by and among the County, the City and the Stadium Developer, subject to consultation and approval by the County Attorneys Office that such Amendment contains the following provisions: (a) the County's contribution to Stadium Project Costs is reduced by \$6.2 million to \$341.3 million; and (b) the initial Stadium Project Budget is reduced by \$6.2 million to \$508.8 million (the "Second Amendment").

Section 3. The Board hereby authorizes the County Mayor or the County Mayor's designee to execute the Second Amendment upon the occurrence of all of the following: (a) the proper execution by the City and the Stadium Developer of the Second Amendment in substantially the form attached to this resolution; and (b) approval by the Office of the County Attorney as to legal sufficiency of such executions.

The foregoing resolution was offered by Commissioner Bruno A. Barreiro, who moved its adoption. The motion was seconded by Commissioner Jose "Pepe" Diaz and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	aye		
Jose "Pepe" Diaz, Vice-Chairman	aye		
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	nay	Sally A. Heyman	nay
Barbara J. Jordan	aye	Joe A. Martinez	absent
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	nay	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of July, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: DIANE COLLINS
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GBK

Geri Bonzon-Keenan

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

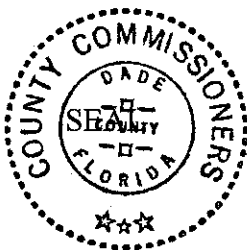
SS:

I, **HARVEY RUVIN**, Clerk of the Circuit Court in and for Miami-Dade County, Florida and Ex-Officio Clerk of the Board of County Commissioners of Said County, **Do Hereby Certify** that the above and foregoing is a true and correct copy of Resolution No. R-905-09 adopted by said board of County Commissioners at its meeting held on July 1, 2009, as appears of record

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 1st day of July, A.D. 2009.

HARVEY RUVIN, Clerk
Board of County Commissioners
Dade County, Florida

By 
Deputy Clerk



Board of County Commissioners
Miami-Dade County, Florida